

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Robbie Collins,)	C/A NO. 2:12-710-CMC-BHH
)	
Petitioner,)	
)	OPINION and ORDER
v.)	
)	
Anthony Padula,)	
)	
Respondent.)	
_____)	

This matter is before the court on remand from the Fourth Circuit Court of Appeals. ECF No. 76. Petitioner’s letter dated September 25, 2013, construed as a Notice of Appeal, indicates that he mailed a Notice of Appeal to this court on August 29, 2013. However, no correspondence or other filing was received from Petitioner after entry of judgment until the Clerk received the correspondence dated September 25, 2013.

The Fourth Circuit Court of Appeals has remanded this case to the court “for the limited purpose of allowing the district court to obtain this information from the parties and to determine whether the filing was timely under Fed. R. App. P. 4(c)(1) and *Houston v. Lack*.¹” Opinion at 2 (ECF No. 76). Accordingly, the court orders Petitioner to provide, no later than **Friday, March 21, 2014**, a memorandum, including a copy of the relevant prison mail log and/or other supporting information, regarding his purported mailing of a Notice of Appeal in this case on or about August 29, 2013. Respondent shall, if he so chooses, respond to Petitioner’s filing by no later than **Friday, March 28, 2014**.

¹*Houston v. Lack*, 487 U.S. 266 (1988).

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina

February 19, 2014